

The Honorable James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROHIT REDDY,

Defendant.

NO. CR16-189-JLR

STIPULATED MOTION FOR ORDER
REQUIRING DEFENDANT TO SELF
SURRENDER

Note on Motion Calendar: April 19, 2018

The United States of America, by and through Annette L. Hayes, United States Attorney for the Western District of Washington, and Rebecca S. Cohen, Assistant United States Attorney for said District, and defendant Rohit Reddy, by and through his attorney, Terrence Kellogg, hereby file this stipulated motion asking the Court to issue an order requiring Defendant Rohit Reddy to self surrender at Correctional Institute Taft on May 15, 2018, at 10:00 a.m..

BACKGROUND

Defendant Rohit Reddy pleaded guilty to one count of SNAP benefit fraud in violation of Title 7, United States Code, Section 2024(b), and agreed both that the aggregate value of the fraud was \$100.00 or more and that Defendant would pay restitution to the Department of Agriculture's Food and Nutritional Service. The parties were unable, however, to come to an agreement on the amount of the total loss to the government or the appropriate amount of restitution. Accordingly, at the sentencing

Stipulated Motion For Order to Self Surrender
United States v. Rohit Reddy (CR16-189-JLR) - 1

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1 hearing on December 19, 2016, the Court was tasked with first determining the amount of
2 the loss suffered by the SNAP Program, and then with imposing sentence.

3 After conducting an evidentiary hearing and taking argument from counsel on
4 December 19, 2016, the Court found that the loss amount was more than \$95,000, but not
5 greater than \$150,000, and ordered restitution in the amount of \$95,001. The Court's
6 findings with respect to the loss amount resulted in a total offense level of 12 and an
7 advisory guidelines range of 10-16 months, and the Court imposed a sentence of 14
8 months (Dkt. 28). Defendant was subsequently ordered to report to FCI Taft on February
9 2, 2017.

10 On December 28, 2016, Defendant filed a Notice of Appeal notifying the Court
11 and the government that he had appealed the Judgment to the Ninth Circuit Court of
12 Appeals. Dkt. 29. On January 19, 2017, Defendant filed a Motion asking the Court to set
13 bond pending the appeal, arguing that he should be allowed to remain at liberty during
14 the pendency of the appeal because, he argued, a successful appeal would result in a
15 sentence which does not include a term of imprisonment. Dkt. 31. The Motion was
16 referred to Chief Magistrate Judge Donohue on January 24, 2017. After hearing oral
17 argument on January 30, 2017, Judge Donohue extended Defendant's self-surrender date
18 to March 10, 2017, and asked for further briefing from the parties. Dkt. 33. After
19 receiving additional briefing and argument, on March 6, 2017, Judge Donohue allowed
20 Defendant to remain on bond pending his appeal with the Ninth Circuit. Dkt. 38. An
21 Amended Appearance Bond was issued the same day. Dkt. 39.

22 On January 29, 2018, the Ninth Circuit affirmed the sentence imposed by the
23 Court. Dkt. 41. The Ninth Circuit's mandate issued on March 22, 2018. Dkt. 42. On
24 April 16, 2018, the Bureau of Prisons ordered Defendant to self surrender at CI Taft on
25 May 15, 2018, at 10:00 a.m. Because there is no longer any basis for Defendant to remain
26 at liberty on an Appearance Bond, the parties ask the Court to issue an order requiring
27 Defendant to self surrender at this time and place, at which time the Amended
28

1 Appearance Bond would be vacated. A proposed form of order is submitted herewith for
2 the Court's consideration.

3
4 DATED this 19th day of April, 2018.
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7 Respectfully submitted,

8 ANNETTE L. HAYES
9 United States Attorney

10 /s/ Terrence Kellogg

11 TERRENCE KELLOGG
12 Attorney for Defendant

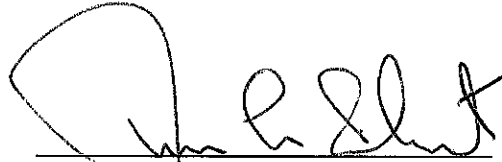
/s/ Rebecca S. Cohen

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ORDER

Based on the above stipulation and request of the United States and Defendant Rohit Reddy, it is hereby ORDERED that Defendant shall self surrender at Correctional Institute Taft on May 15, 2018, at 10:00 a.m.

Dated this 19th day of April, 2018.



Hon. James L. Robart
United States District Court Judge

Presented by:

/s/ Rebecca S. Cohen
REBECCA S. COHEN
Assistant United States Attorney

/s/ Terrence Kellogg
TERRENCE KELLOGG
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney of record for the defendant.

s/ Courtney Goertzen

COURTNEY GOERTZEN

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